

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No.1198 of 2017
and
Crl.R.C.No.1249 of 2017
and
Crl.M.P.Nos.12085 of 2017

Crl.R.C.No.1198 of 2017:

- 1.Rama.Gunasekaran
- 2.C.P.G.Anbalagan
- 3.S.Sampath
- 4.Swathi N.Gopal
- 5.R.Packrisamy

... Petitioners in Crl.R.C.No.1198 of 2017

Vs.

1. Revenue Divisional Officer cum Sub Divisional Magistrate,
Thiruvarur,
Thiruvarur District.
2. Inspector of Police,
Nannilam,
Thiruvarur District.
Cr.No.245 of 2017.
3. P.V.Udhayakumar
4. Chandrasekaran
5. Balaji
6. Govindaraj
7. Illamparuthi

... Respondents in Crl.R.C.No.1198 of 2017

Crl.R.C.No.1249 of 2017:

- 1.Udhayakumar
- 2.G.Chandrasekaran
- 3.Balaji
- 4.Govindaraj
- 5.Illamparuthi

... Petitioners in Crl.R.C.No.1249 of 2017

Vs.

1. State Rep. by,
Inspector of Police,
Nannilam Police Station,
Nannilam, Tiruvarur Dt.
2. Rama.Gunasekaran
2. C.P.G.Anbazhagan
3. Sampath
4. Swathi Gopal
5. Pakkirisamy

... Respondents in Crl.R.C.No.1249 of 2017

PRAYER in Crl.R.C.No.1198 of 2017: Criminal Revision is filed under Section 397 r/w 401 of the Code of Criminal Procedure, to set aside the order made in Na.Ka.No.2990/2017/A5, dated 05.09.2017 on the file of the Revenue Divisional Officer cum Sub Divisional Executive Magistrate, Thiruvarur.

PRAYER in Crl.R.C.No.1249 of 2017: Criminal Revision is filed under Section 397 r/w 401 of the Code of Criminal Procedure, to set aside the proceedings of the Sub Divisional Magistrate, Tiruvarur made in her proceedings Na.Ka.No.2990/2017/A5, dated 05.09.2017 and direct the respondent herein to allow the B party to occupy the disputed premises and restore the original possession.

Crl.R.C.No.1198 of 2017:

For Petitioners	:	Mr.S.Yogaraja Sekar
For R1 & R2	:	Mr.R.Kishore Kumar Government Advocate(Crl. Side)

Crl.R.C.No.1249 of 2017:

For Petitioner	:	Mr.B.Ramamoorthy
For R1	:	Mr.R.Kishore Kumar Government Advocate(Crl. Side)
For R2 to R6	:	Mr.Yogaraja Sekar

COMMON ORDER

Challenging the proceedings in Na.Ka.No.2990/2017/A5, dated 05.09.2017 passed by the Revenue Divisional Officer-cum-Sub Divisional Magistrate, Thiruvarur, the above Criminal Revision Cases have been filed.

2.The petitioners in Crl.R.C.No.1198 of 2017 are 'A' parties and the petitioners in Crl.R.C.No.1249 of 2017 are 'B' parties.

3.The learned counsel for the petitioners in Crl.R.C.No.1249 of 2017 submitted that on 17.06.2021, during the peace committee meeting, both 'A' and 'B' parties appeared and gave an undertaking that they will not further precipitate the matter and resolve the dispute among themselves in a peaceful manner or approach the civil Court and obtain appropriate order. They both confirmed that there will be no breach of peace.

4.The learned Government Advocate (Crl. Side) appearing for State submitted that the proceedings in Na.Ka.No.2990/2017/A5, dated 05.09.2017 is an offshoot and outcome of Crime No.245 of 2017, dated 04.09.2017. He further submitted that after completion of investigation in Crime No.245 of 2017, further action was dropped and the closure report was made ready on 17.09.2017 and filed before the concerned Court.

5.Considering the rival submissions and on perusal of the materials, it is seen that both the parties have given undertaking during the peace committee meeting to resolve the issues between themselves amicably. The proceedings in Na.Ka.No.2990/2017/A5, dated 05.09.2017 is an offshoot and outcome of Crime No.245 of 2017, dated 04.09.2017. Since the case in Crime No.245 of 2017 now closed as Further Action Dropped, nothing survives in the proceedings in Na.Ka.No.2990/2017/A5, dated 05.09.2017. Hence, both the Criminal Revision Cases lost its relevance and force.

6.In view of the above, nothing survives in these Criminal Revision Cases and the same are liable to be dismissed and, are dismissed.

7.The petitioners in both revisions are at liberty to workout their remedy before the civil Court. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

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To

1. The Revenue Divisional Officer cum
Sub Divisional Magistrate,
Thiruvarur,
Thiruvarur District.
2. The Inspector of Police,
Nannilam,
Thiruvarur District.
3. The Public Prosecutor,
High Court, Madras.

Cr1.R.C.Nos.1198 & 1249 of 2017

GPL[co]
NSK 31/03/2022